

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

DAVID SEAMAN

Plaintiff,

v.

IAC/INTERACTIVECORP, INC.,

THE DAILY BEAST COMPANY, LLC

-and-

JENNINGS BROWN

Defendants.

Case No. 3:18cv401

**PLAINTIFF DEMANDS
TRIAL BY JURY**

COMPLAINT

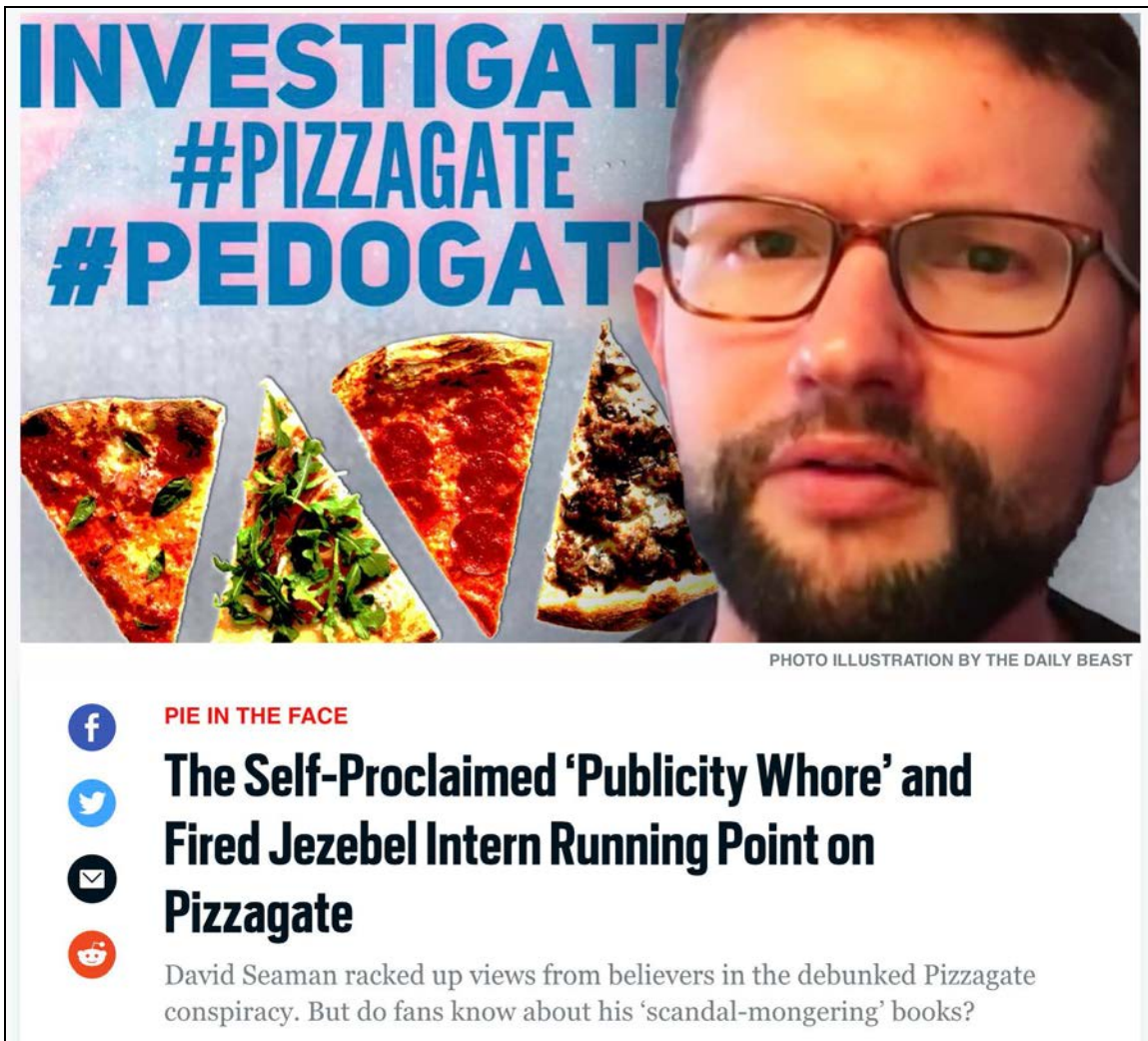
Plaintiff, David Seaman, by counsel, files the following Complaint against Defendants, IAC/InterActiveCorp, Inc. (“IAC”), The Daily Beast Company, LLC (the “Daily Beast”) and Jennings Brown (“Brown”), jointly and severally.

Plaintiff seeks (a) compensatory damages and punitive damages in an amount not less than **\$2,350,000.00**, (b) prejudgment interest on the principal sum awarded by the Jury from March 24, 2017 to the date of Judgment at the rate of six percent (6%) per year pursuant to § 8.01-382 of the Virginia Code (1950), as amended (the “Code”), and (c) costs incurred – arising out of Defendants’ defamation *per se*, insulting words, and unlawful use of name and picture.

I. INTRODUCTION

This action arises out the publication and republication of false and defamatory statements contained in a hit piece published in the infamous online rag, *The Daily Beast*. [<https://www.thedailybeast.com/>].

On March 24, 2017, the Daily Beast published an article written by Brown that maligned, mocked and insulted Plaintiff, ridiculed and disparaged his skills as an investigative journalist and reporter, misrepresented material facts, and accused Plaintiff of fraud and many other crimes. The *Daily Beast* Article featured a picture of Plaintiff and mercilessly attacked his character and reputation:



In this case, David Seaman seeks money damages for the injury to his good name and reputation as a journalist, reporter, author and publisher, and a permanent injunction directing the Defendants to remove the *Daily Beast* Article from the Internet. The Defendants cannot be allowed to use their extensive media empire and considerable power and influence to disseminate falsehoods and defamation. The Defendants should be punished for their unlawful actions and a very strong message needs to be sent to prevent others from acting in a similar way.

II. PARTIES

1. Plaintiff, David Seaman (“David”), is a citizen of the District of Columbia. He is 32 years-old. David is a journalist, investigative reporter, researcher, pundit, author and publisher. He is a private individual. For many years, David has reported on matters of great public concern, including **#pedogate** – child sex trafficking, ritualistic murder, torture, kidnapping, rape, child sex slavery, and the global network of child sex traffickers and pedophile rings for rich and powerful people in the elite ruling classes, Hollywood and the entertainment industry.¹ As a direct result of his reporting, David has been censored by Google/YouTube [<https://www.youtube.com/user/davidseamanonline>; <https://twitter.com/davidseamanweb?lang=en>] and attacked by left-wing media giants, such as IAC/Daily Beast. This case is about an article that was published with the sole intent to injure David’s reputation and undermine his standing as a journalist.

¹ [See, e.g., <https://www.sott.net/article/343780-Pizzagate-turned-PedoGate-Leads-to-Momentum-Surge-in-Busting-Global-Child-Sex-Trafficking-Rings>; <http://www.dailymail.co.uk/news/article-2542097/BBC-staff-ignored-1-000-attacks-children-predatory-DJ-Jimmy-Savile-according-new-damning-report-lifting-lid-entire-scandal.html>; <https://www.youtube.com/watch?v=12zVlaZyX3Q>; <https://nypost.com/2016/10/09/the-sex-slave-scandal-that-exposed-pedophile-billionaire-jeffrey-epstein/>; <https://wikileaks.org/podesta-emails/>].

2. Defendant, IAC, is a public company (NASDAQ: IAC), incorporated and existing under the laws of the State of Delaware with its principal place of business in New York. IAC is controlled by Barry Diller, his wife, Diane von Furstenberg, and his stepson, Alexander von Furstenberg. Billionaires, Diller and Von Furstenberg, are close personal friends and prominent supporters of Bill and Hillary Clinton. Diller and Von Furstenberg were major fundraisers for Hillary Clinton's failed bid to become President of the United States. They maxed out their personal contribution limits and bundled together an additional \$2,639,944 in donations for the Clinton campaign. [<https://www.opensecrets.org/pres16/bundlers>]. IAC's Board of Directors includes Chelsea Clinton, the daughter of Bill and Hillary Clinton. Chelsea Clinton also sits on the Board of IAC subsidiary, Expedia.com.² IAC is an e-commerce media company that, *inter alia*, owns and operates Expedia.com, Hotels.com and Ticketmaster. IAC claims to be a leading Internet company "composed of widely known consumer brands, such as Match, Tinder, PlentyOfFish and OkCupid, which are part of Match Group's online dating portfolio, and HomeAdvisor and Angie's List, which are operated by ANGI Homeservices, as well as Vimeo, Dotdash, Dictionary.com, The Daily Beast and Investopedia." IAC is certified and registered to transact business in Virginia. IAC derives substantial revenues from the business it transacts in Virginia. IAC maintains its registered agent in Glen Allen, Virginia.

² It is a well-known fact that David has produced and published numerous videos that contain evidence of Bill and Hillary Clinton's participation in child sex trafficking and pedophilia rings. [See, e.g., <https://vimeo.com/davidseaman>; see also <http://trance-formation.com/>]. The *Daily Beast* Article was published to protect the Clintons and in retaliation for David's investigative reporting on **#pedogate**.

3. Defendant, Daily Beast, is a limited liability company organized and existing under Delaware law, with headquarters in New York, West Hollywood, Washington D.C. and Chicago. IAC is the sole member of the Daily Beast. The Daily Beast operates an active website, <https://www.thedailybeast.com/>, dedicated to news, commentary, culture and entertainment that curates and publishes existing and original online content from its own roster of contributors in the United States. The Daily Beast is one of IAC's "Premium Brands". [<http://ir.iac.com/static-files/66a65771-ec1c-480d-8e89-64d2d312d44c>]. The Daily Beast has over 25 million unique visitors per month. The site reaches more than 1 million readers a day. [<http://www.iac.com/brand/daily-beast>; <https://www.thedailybeast.com/company/about-us>].

4. Defendant, Brown, is an individual who is a citizen of New York. He is employed by Gizmodo Media Group. [<https://www.linkedin.com/in/jennings-brown-828201b/>; <https://twitter.com/tjenningsbrown?lang=en>].

III. JURISDICTION AND VENUE

5. The United States District Court for the Eastern District of Virginia has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332. The parties are citizens of different States and the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest, costs and fees.

6. The Defendants are subject to general jurisdiction in Virginia and specific jurisdiction pursuant to Virginia's long-arm statute, § 8.01-328.1(A)(1) and (A)(4), as well as the Due Process Clause of the United States Constitution. The Defendants regularly transact or solicit business in Virginia, engage in a persistent course of conduct (publication of articles, tweets, etc. to followers and subscribers) in Virginia, and/or

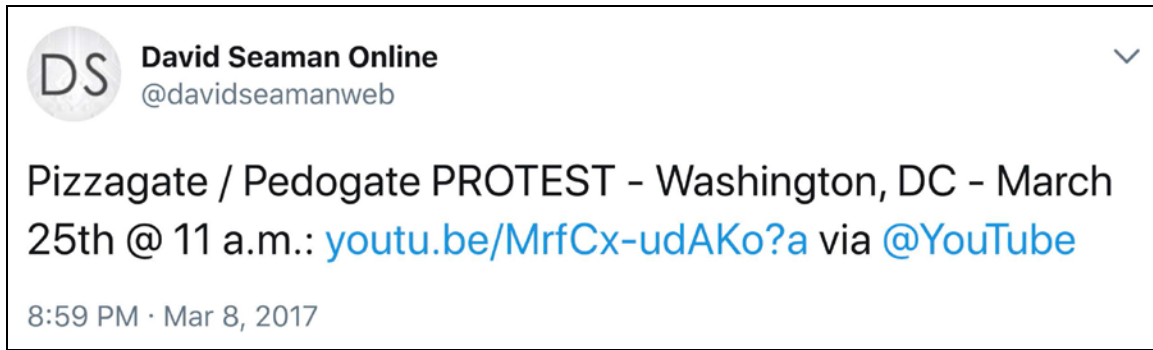
derive substantial revenue from goods used or consumed or services rendered in Virginia. The Defendants have minimum contacts with Virginia such that the exercise of personal jurisdiction over them comports with traditional notions of fair play and substantial justice and is consistent with the Due Process Clause of the United States Constitution. Defendants' *Daily Beast* Article was purposefully directed at Virginia. Plaintiff's claims directly arise from and relate to the publication of false and defamatory statements in Virginia. *Calder v. Jones*, 465 U.S. 783 (1984); *Keeton v. Hustler Magazine, Inc.*, 465 U.S. 770 (1984).

7. Venue is proper in the Richmond Division of the United States District Court for the Eastern District of Virginia because IAC and the Daily Beast are subject to personal jurisdiction in Virginia and because the Defendants published and republished defamatory statements to a wide audience that includes persons who reside within the Richmond Division. A substantial part of the events giving rise to the claims stated in this action occurred in the Eastern District of Virginia.

IV. STATEMENT OF THE FACTS

8. David and many others have investigated and reported extensively on **#pedogate** for years. David recorded his findings in videos, which he uploaded and published on his YouTube channel and via his Twitter account, **@davidseamanweb**. David was a prolific and tenacious journalist, who produced 100s of videos about the global **#pedogate** epidemic and the perpetrators of these heinous crimes.

9. David was active in the public protest and exposure of **#pedogate**. On March 8, 2017, David tweeted notice of a Pedogate protest scheduled to take place in Washington, D.C. on March 25, 2017:



10. Beginning in early 2017, **#pedogate** journalists, including David, began to be attacked over their reporting on pedophilia and child sex trafficking by agents of the Democratic National Committee (“DNC”), by progressive organizations affiliated with the Clintons, John Podesta and David Brock, including Media Matters for America (“MMFA”), and by left-wing online rags, including BuzzFeed³ and the Daily Beast, in what was an obvious effort to cover-up and discourage investigation of **#pedogate**. On February 24, 2017, BuzzFeed criticized YouTube for providing a platform for publication of “right-leaning conspiracy and revisionist historical content”. David was mentioned by name. [https://www.buzzfeed.com/josephbernstein/youtube-has-become-the-content-engine-of-the-internets-dark?utm_term=.shV41dKE0#.pw6EolWxr] (“David Seaman’s videos typically garner more than 50,000 views and often exceed 100,000. Many of Seaman’s videos adjoin ads for major brands. A preroll ad for Asana, the productivity software, precedes a video entitled ‘WIKILEAKS: Illuminati Rothschild Influence & Simulation Theory’; before ‘Pizzagate: Do We Know the Full Scope Yet?!’ it’s an ad for

³ BuzzFeed claims to be a “leading independent digital media company delivering news and entertainment to hundreds of millions of people around the world.” [<https://www.buzzfeed.com/about?country=en-us>]. BuzzFeed operates a global, multi/cross-platform network that includes its website, BuzzFeed.com, and mobile apps, Facebook, Snapchat, YouTube, Twitter, and many other digital platforms. BuzzFeed is a private company, whose largest shareholders include NBC Universal (Comcast), Andreessen Horowitz, New Enterprise Associates, RRE Ventures and Hearst Ventures.

Uber, and before ‘HILLARY CLINTON'S HORROR SHOW,’ one for a new Fox comedy.”). Google/YouTube aided and abetted the attempt to cover-up **#pedogate** by censoring, banning, shadow-banning and secretly deploying agents and algorithms to indiscriminately purge hundreds, if not millions, of YouTube channels that reported on the subjects of child sex trafficking and pedophilia.⁴

11. On March 24, 2017 – the day before the scheduled **#pedogate** protest in Washington, D.C. – Barry Diller’s Daily Beast published an article written by Brown, entitled “**The Self-Proclaimed ‘Publicity Whore’ and Fired Jezebel Intern Running Point on Pizzagate**” (the “*Daily Beast* Article”). [<https://www.thedailybeast.com/the-self-proclaimed-publicity-whore-and-fired-jezebel-intern-running-point-on-pizzagate>].

12. In the *Daily Beast* Article, IAC, Daily Beast and Brown made the following false and defamatory statements of and concerning David:

- a. David is a “self-proclaimed ‘publicity whore’”;
- b. David was “fired” from Jezebel;⁵

⁴ In February 2018, YouTube deleted David’s entire channel and all of his videos about **#pedogate**.

⁵ “Jezebel” is a liberal blog geared towards women. [<https://jezebel.com/>]. It was launched in 2007 by the now-bankrupt Gawker Media and is currently owned by Univision Communications, Inc. (NYSE:UNI). Brown’s employer – Gizmodo Media Group – is a subsidiary of Univision. The ties between Univision and the Clintons run very deep. [<https://www.politico.com/story/2015/05/univision-hillary-clinton-bill-clinton-117851>]. Univision’s chairman and part-owner, Haim Saban, donated over \$12,400,000 to Hillary Clinton’s 2016 campaign. [https://www.washingtonpost.com/politics/how-mega-donors-helped-raise-1-billion-for-hillary-clinton/2016/10/22/a92a0ee2-9603-11e6-bb29-bf2701dbe0a3_story.html?utm_term=.c95ea67dfad9]. David worked for Jezebel for less than three (3) months, part-time. **David was not fired from Jezebel.**

- c. “David Seaman racked up views from believers in the debunked Pizzagate conspiracy. But do fans know about his ‘scandal-mongering’ books?”;
- d. Pedogate is a “nonexistent global satanic child-sex-trafficking operation”;
- e. David is Pedogate’s “de facto ringleader”;
- f. David “spent much of the last decade as a self-promotion guru, selling secrets on how to ‘attract buzz’ and a how-to book on becoming a ‘publicity whore,’ after turbulent stints as an intern at Jezebel and contributor at The Huffington Post were abruptly cut short”;⁶
- g. “But as Seaman has built a substantial audience – a nearly 70,000 Twitter followers and more than 155,000 YouTube subscribers – some other less prominent Pizzagaters have started to dig into [Seaman’s past](#)⁷ to prove that he’s not the man he purports to be”;
- h. “David Seaman is a fraud”;
- i. “David Seaman is a mentally unstable con man”;
- j. “Knowing his history, [David] probably tried to con [his family], just like everyone else he’s ever met”;

⁶ In truth, The Huffington Post revoked David’s publishing access and deleted his articles without warning after he dared to question Hillary Clinton’s health during the 2016 Presidential campaign. [<https://www.zerohedge.com/news/2016-08-29/huffington-post-revoked-publishing-access-journalist-after-post-hillarys-healthits-or>; https://www.realclearpolitics.com/video/2016/08/29/huffington_post_contributor_says_he_was_fired_for_posting_article_about_hillarys_health.html].

⁷ The *Daily Beast* Article incorporates hyperlinks and republishes other materials, including a blog published on Reddit by “roundhouse 1776”. [https://www.reddit.com/r/conspiracy/comments/5uk42a/david_seaman_is_a_fraud_ties_to_george_soros/]. The Reddit blog, republished by IAC, Daily Beast and Brown, includes multiple false and defamatory statements about David.

k. “For a guy who claims to hate pedophilia crimes and Hillary Clinton and John Podesta so much, why is he so proud to be associated with George Soros?”;⁸

l. “There has been a lot of evidence discovered during the Pizzagate investigation, and there has also been a lot of stuff that has been proven to be fake. Seaman is constantly latching on to the most sensationalist, fake parts of Pizzagate and reporting it as fact and ignores all the valuable evidence that has been found. This has a huge negative effect on the credibility of Pizzagate”;

m. “all the information and evidence shows that David Seaman is clearly a fraudulent con man. He has been deceiving Pizzagate truthers from the very start, in an effort to boost his own fame and fortune. His intentions are not merely for personal gain either, he has been out to intentionally discredit Pizzagate by painting all investigators as unstable mentally ill lunatics. He has also had a massive negative influence on the credibility of Pizzagate, and he’s reported it dishonestly and poorly the whole way and has repeatedly taken credit for other peoples’ work.”;

n. “If you are serious about Pizzagate and wanting to see the perpetrators held accountable for their crimes, you need to spread the word about the charlatan David Seaman, who claims to be on our side, but is clearly not.”;

⁸ Billionaire, George Soros, is widely believed to be involved in child sex trafficking and pedophilia. [See, e.g., <https://www.youtube.com/watch?v=bb6JeX6dvEk>; <http://www.latimes.com/world/europe/la-fg-britain-pedophile-allegations-20141223-story.html>; <https://www.linkedin.com/pulse/pedogate-update-global-elites-pedophile-empire-ever-crash-hagopian/>]. **David has never been associated in any way with George Soros.**

o. “It was information from independent researchers like Seaman that inspired Edgar Welch to bring a rifle into a Washington, D.C., pizza restaurant so that he could ‘investigate’ the innocent children he believed were being held captive in a nonexistent basement. He fired shots, but no one was hurt.”;

p. “Seaman pressed on and doubled-down, suggesting that Welch was a hired actor and the shooting was a staged event meant to discredit Pizzagaters.”

q. “Seaman wrote ‘Pedogate/Pizzagate has real victims in its wake – mostly young children’ ... For what it’s worth, it doesn’t.”;

r. David is a “conspiracy theorist”.

13. In addition to its 26 Million unique online monthly visitors, Daily Beast republished the *Daily Beast* Article to a new target audience: its 2,075,000 followers on Facebook. [See <https://www.facebook.com/thedailybeast/posts/10155260492929203>; https://www.facebook.com/thedailybeast/?hc_ref=ARSllKrppvxqCQZO3pHe5nO96Zvc3fBciKWndqLsWM2eU0YHXBpTHd_eIdzE7JPdkm4&fref=nf].

14. In addition to its website, mobile application and Facebook, the Daily Beast operates an active Twitter account, @**thedailybeast**, that it uses to advertise its business and for purposes of trade:



@thedailybeast has over 1,180,000 followers, many of whom live in Virginia. The Daily Beast tweeted (published) the *Daily Beast* Article to its 1,180,000 followers:



[<https://twitter.com/thedailybeast/status/845250093104205824>].

15. Brown also operates an active Twitter account, **@tjenningsbrown**, that he uses to advertise his business, including his website (<https://www.jenningsbrown.com/>), and for purposes of trade. In March 2017, Brown had over 2,000 followers. Brown also tweeted (published) the *Daily Beast* Article to his 2,000+ Twitter followers:

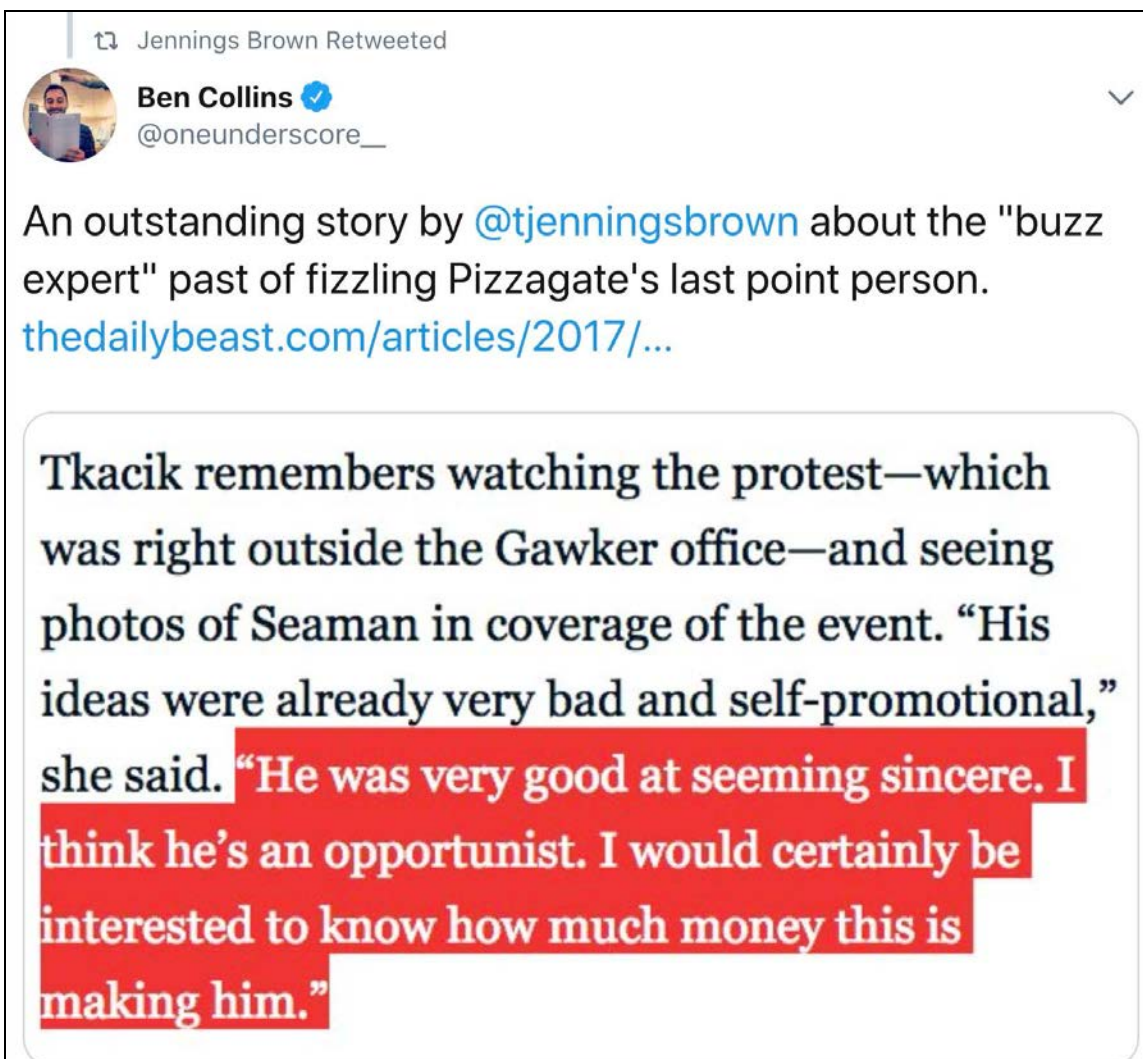


[<https://twitter.com/tjenningsbrown/status/845270606442610689>]. Brown's tweet included an additional false and defamatory statement about David: that he was the "rising star conspiracy theorist championing Pizzagate".

16. Upon information and belief, IAC and Daily Beast compensated Brown for writing the hit piece on David.

17. The *Daily Beast* Article was published, republished, tweeted and retweeted (republished) by multiple third-parties on and after March 24, 2017, including the following:

a. Ben Collins, a senior editor at the Daily Beast (now a reporter at NBC News) (“Collins”), tweeted the *Daily Beast* Article to his 24,000 Twitter followers:



b. Harry Siegel, a senior editor at the Daily Beast (“Collins”), tweeted the *Daily Beast* Article to his 16,000 Twitter followers:



c. And, *inter alia*, in the following tweets and publications:

<https://voat.co/v/pizzagate/1744296>

<https://twitter.com/SummerBlandings/status/845133066733404160/photo/1>

<https://twitter.com/intern01edge/status/845139376120119296>

<https://twitter.com/ProgressiveToo/status/845148957508431872>

<https://twitter.com/d33ness72/status/845303435360698369>

("True Grit" – 12,100 Twitter followers)

<https://twitter.com/NoNameCulture/status/845383372314759169>

<https://twitter.com/truthismaster/status/845637474143625218>

<http://stateofthenation2012.com/?p=69670>

<https://twitter.com/junkpolitics/status/845742093041618944>

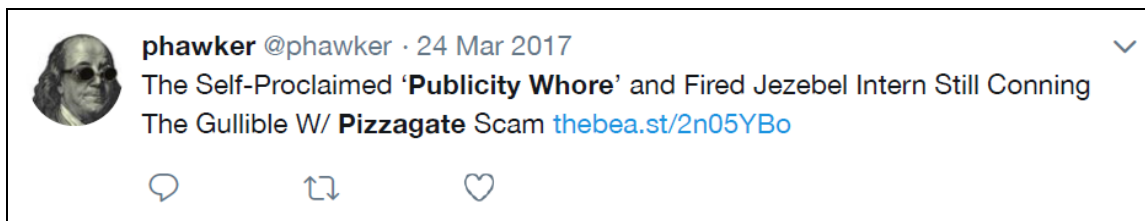
<https://twitter.com/sarahjeong/status/846116120541069312>

(Sarah Jeong – Senior Writer at the Verge – to her 62,600 Twitter followers)

<https://redef.com/author/55f08f83e971225d3c98fb80>

(Jennings Brown Internet Archives)

The *Daily Beast* Article was universally understood and considered to be false and defamatory by those who viewed it, *e.g.*:



18. Within the past year, the *Daily Beast* Article has been republished by multiple third-parties on the Internet and via social media, *e.g.*:





brad adams 
@rangersgt6



Replying to @iVyTaroc @SkylerTayman and 2 others

I call.



The Self-Proclaimed 'Publicity Whore' and Fired Jezebel Intern Running Point on Pizzagate
thedailybeast.com

5:05 PM · Mar 11, 2018



timphillips
@tphillips1990



Replying to @lovelara @ShriHubbard and 5 others

oh dear. It appears this news - I'm sorry, TRUTH source Fulcrum news has a bit of a murky past. I have to be honest, I didn't see that coming at all.



The Self-Proclaimed 'Publicity Whore' and Fired Jezebel Intern Running Point on Pizzagate
thedailybeast.com

7:36 AM · Apr 26, 2018



MM
@creekbear

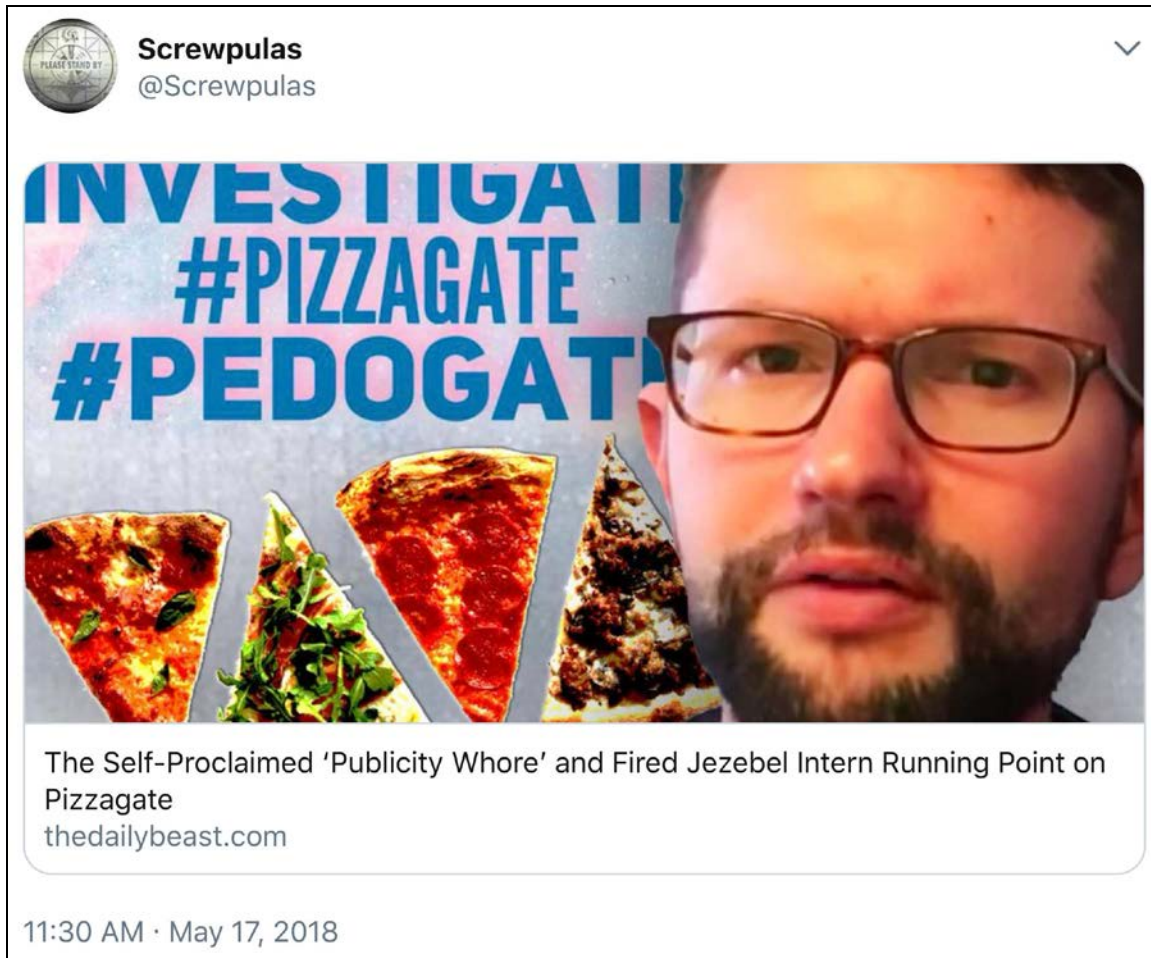


The Self-Proclaimed 'Publicity Whore' and Fired Jezebel Intern Running Point on Pizzagate [#SmartNews](#)



The Self-Proclaimed 'Publicity Whore' and Fired Jezebel Intern Running Point on Pizzagate
thedailybeast.com

10:53 AM · May 13, 2018





Firefly
@phyrefligh



Replying to @Fulcrum_News and @infowars

thedailybeast.com/the-self-procl... 😂😂😂 #QAnon



The Self-Proclaimed 'Publicity Whore' and Fired Jezebel Intern Running Point on Pizzagate
thedailybeast.com

2:33 PM · May 18, 2018



[See also <https://threadreaderapp.com/thread/969546981776478208.html>].

19. Those who read the *Daily Beast* Article understood that it was a “HUGE Hit Piece” on David, e.g.:



20. The sole purpose of the *Daily Beast* Article was to further Defendants' predetermined agenda: to protect the Clintons, John Podesta, Tony Podesta and others suspected of child sex trafficking and pedophilia, to discredit David, and to distract from the important mission of investigating and exposing **#pedogate**. The *Daily Beast* Article violated every principle of journalistic ethics and integrity. Brown relied on anonymous sources; did little to no fact-checking; and ignored contrary evidence, including evidence readily available on the Internet and statements supplied to him by David. Brown disregarded the four (4) foundational principles of ethical journalism:

- Seek Truth and Report It;
- Minimize Harm;
- Act Independently; and
- Be Accountable and Transparent.

[<https://www.spj.org/pdf/spj-code-of-ethics.pdf>; see *id.*, <http://asne.org/resources-ethics-wapo>; <http://asne.org/resources-ethics-wsj>; <http://asne.org/resources-ethics-nyinteg>].

IAC, Daily Beast and Brown set out to publish a scandalous story about David and **#pedogate**. In promoting their agenda, they misrepresented, distorted and oversimplified facts and issues; failed to gather, update and correct information throughout the life of the story; engaged in baseless stereotyping and allowed their extreme bias to shape the reporting. IAC, Daily Beast and Brown published and republished the story in such a way and to such audiences and extremes as to maximize the insult, pain, humiliation and embarrassment to David.

21. Prior to publication of the *Daily Beast* Article, David informed the Daily Beast that “I don’t consider the Daily ‘Beast’ to be a reputable news source ... You all had 4 months to cover the fact that the Clintons and the Podestas are involved in child trafficking and chose not to do so, which is inexcusable”. In addition to the cover-up of **#pedogate**, IAC, Daily Beast and Brown published the *Daily Beast* Article in retaliation for David’s truthful observations about the Daily Beast.

22. IAC, Daily Beast and Brown’s false and defamatory statements have injured, impugned and disparaged David’s reputation and business as a journalist and investigative reporter. The Defendants’ statements cast aspersion on David’s honesty, trustworthiness, and standing in his field of business.

COUNT I – DEFAMATION PER SE

23. David restates paragraphs 1 through 22 of this Complaint and incorporates them herein by reference.

24. IAC, Daily Beast and Brown published and republished to third-parties – including, without limitation, millions of online viewers who read the *Daily Beast* Article on <https://www.thedailybeast.com/>, followers of the Daily Beast on Facebook, and the

Daily Beast, Brown, Collins and Siegel's Twitter followers – numerous false factual statements, which are detailed verbatim above, of or concerning Plaintiff.

25. By publishing an online article, by posting to a public Facebook and by tweeting and retweeting, IAC, Daily Beast and Brown knew or should have known that their defamatory statements would be republished over and over by third-parties to Plaintiff's detriment. Republication by both identified viewers, followers and tweeps was the natural and probable consequence of IAC, Daily Beast and Brown's actions and was actually and/or presumptively authorized IAC, Daily Beast and Brown. IAC, Daily Beast and Brown are liable for the republication of the false and defamatory statements by third-parties under the doctrine announced by the Supreme Court of Virginia in *Weaver v. Home Beneficial Co.*, 199 Va. 196, 200, 98 S.E.2d 687 (1957) ("where the words declared on are slanderous per se their repetition by others is the natural and probable result of the original slander.").

26. IAC, Daily Beast and Brown's false statements constitute defamation *per se*. The statements impute to David an unfitness to perform the duties of an office or employment for profit, or the want of integrity in the discharge of the duties of such office or employment. IAC, Daily Beast and Brown's statements also prejudice David in his profession and a journalist and investigative reporter.

27. IAC, Daily Beast and Brown's false statements have severely harmed David and his reputation.

28. IAC, Daily Beast and Brown knew or should have known that their statements were false. They acted with actual malice and reckless disregard for the truth for the following reasons:

a. IAC, Daily Beast and Brown had a predetermined agenda, which was to protect pedophiles and child sex traffickers from investigation and exposure and to discredit David and **#pedogate**. Brown sent David scripted questions that demonstrated Brown's bias and agenda. Brown completely disregarded David's answers to the scripted questions because the answers did not fit the smear that Brown was directed to write.

b. IAC, Daily Beast and Brown intentionally set out to permanently destroy David's reputation with falsehoods, so as to destroy his legacy as a reporter on **#pedogate**. The *Daily Beast* Article was also published and republished in retaliation and reprisal for David's comments about the Daily Beast.

c. IAC, Daily Beast and Brown's statements were knowingly false, with not a shred of supporting evidence. From their review of David's extensive work and their knowledge of the global pedophilia epidemic and specific instances of pedophilia, including evidence relating to Hillary Clinton and the Podestas, IAC, Daily Beast and Brown knew that **#pedogate** was real, that David was not a fraud or unstable or a con man, that David had nothing to do with the shooting at the Comet Ping Pong pizzeria, and that David is not a "conspiracy theorist". Despite their actual knowledge to the contrary, the Defendants' published the false and defamatory statements detailed above in paragraph 9.

d. The *Daily Beast* Article is a hit job, lacking in any and all journalistic integrity. IAC, Daily Beast and Brown violated every journalistic standard and ethical code in publishing the Article. Brown focused on an irrelevant three-month, part-time internship David had years ago at Jezebel. Brown disregarded the history of David's long career in journalism, which was available to Brown online if Brown had

cared to look. [[http://www.conservapedia.com/David_Seaman_\(American_journalist\)](http://www.conservapedia.com/David_Seaman_(American_journalist))]. Brown focused on an out-of-print ebooklet that David wrote long ago, and completely ignored David's best-performing book, *The Real Meaning of Life*. [<https://www.amazon.com/Real-Meaning-Life-David-Seaman/dp/1577315146>]. Brown borrowed from anonymous, tertiary sources on Reddit, which Brown chose not to verify. IAC, Daily Beast and Brown chose to manufacture and publish false and scandalous statements and use unnecessarily biased, strong and violent language, disproportionate to any occasion. Indeed, the tenor of the *Daily Beast* Article and the language used express the Defendants' clear and convincing feelings of ill-will and animus towards David.

e. IAC, Daily Beast and Brown did not act in good faith because, in the total absence of evidence, they could not have had an honest belief in the truth of their statements about David.

f. IAC, Daily Beast and Brown reiterated, repeated and continue to republish their false defamatory statements, and enticed others to do so by tweeting and retweeting, out of a desire to hurt David and to permanently stigmatize and destroy him and the investigation and exposure of **#pedogate**.

29. IAC, Daily Beast and Brown lacked reasonable grounds for any belief in the truth of their statements and acted negligently in failing to determine the true facts.

30. As a direct result of IAC, Daily Beast and Brown's defamation, David suffered substantial damage and loss, including, but not limited to, presumed damages and actual damages, loss or injury to business, pain and suffering, emotional distress and trauma, insult, anguish, stress and anxiety, public ridicule, humiliation, embarrassment,

indignity, injury to reputation, prestige and standing, costs, expenses and out-of-pocket loss in an amount to be determined by the Jury, but not less than \$2,000,000.00.

COUNT II – INSULTING WORDS

31. David restates paragraphs 1 through 30 of this Complaint and incorporates them herein by reference.

32. IAC, Daily Beast and Brown's insulting words, in the context and under the circumstances in which they were produced, published, tweeted, retweeted, written and used, tend to violence and breach of the peace. Like any reasonable person, David was humiliated, disgusted, angered and provoked to violence by the insulting words.

33. IAC, Daily Beast and Brown's false and slanderous words are fighting words, which are actionable under § 8.01-45 of the Virginia Code (1950), as amended.

34. As a direct result of IAC, Daily Beast and Brown's insulting words, David suffered damage and loss, including, but not limited to, actual damages, loss or injury to business, pain and suffering, emotional distress and trauma, insult, anguish, stress and anxiety, public ridicule, humiliation, embarrassment, indignity, injury to reputation, prestige and standing, costs, expenses and out-of-pocket loss in an amount to be determined by the Jury, but not less than \$2,000,000.00.

COUNT III – UNAUTHORIZED USE OF NAME AND PICTURE (§ 8.01-40)

35. David restates paragraphs 1 through 34 of this Complaint and incorporates them herein by reference.

36. On and after March 24, 2017, IAC, Daily Beast and Brown used David's name and picture on multiple occasions without having first obtained David's written consent for advertising purposes and for purposes of trade.

37. IAC, Daily Beast and Brown knowingly used David's name and picture in violation of § 8.01-40 of the Virginia Code.

38. David suffered damages resulting from IAC, Daily Beast and Brown's unlawful use of his name and picture, including, but not limited to, loss of business and property, the benefits these Defendants received by using his name and picture, costs, expenses, and out-of-pocket loss in an amount to be determined by the Jury, but not less than \$2,000,000.00.

COUNT IV – PERMANENT INJUNCTION

39. David restates paragraphs 1 through 38 of this Complaint and incorporates them herein by reference.

40. IAC, Daily Beast and Brown unlawfully used David's name and picture, and they refuse to stop.

41. In accordance with § 8.01-40 and Virginia common law, David requests the Court to permanently enjoin and order the Defendants to cease and desist from any further use of David's name and/or picture. David further requests that the Defendants, and each of them, be enjoined to remove or cause to be removed from the Internet and social media, including Twitter, all tweets, retweets, blogs and posts that contain David's name and picture and/or the *Daily Beast* Article.

42. Without Court intervention and an injunction, David will suffer actual and irreparable injury to his property interests from the continued publication and republication of the *Daily Beast* Article via the Internet and social media.

43. There is a substantial likelihood that David will succeed on the merits of his claim that Defendants unlawfully used his name and picture, as the Defendants have

no right to use or to publish David's name and/or picture for advertising purposes or for purposes of trade. David does not have an adequate remedy at law.

David alleges the foregoing based upon personal knowledge, public statements of others, and records in his possession. David believes that substantial additional evidentiary support, which is in the exclusive possession of the Defendants and their agents and other third-parties, will exist for the allegations and claims set forth above after a reasonable opportunity for discovery.

David reserves the right to amend this Complaint upon discovery of additional instances of the Defendants' defamation and wrongdoing.

CONCLUSION AND REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court to enter Judgment against the Defendants, jointly and severally, as follows:

- A. Compensatory damages in an amount to be determined by the Jury, but not less than \$2,000,000.00;
- B. Punitive damages in the amount of \$350,000.00 or the maximum amount allowed by law;
- C. Prejudgment interest at the maximum rate allowed by law from;
- D. Postjudgment interest at the rate of six percent (6%) per annum until paid;
- E. Such other relief as is just and proper.

TRIAL BY JURY IS DEMANDED

DATED: June 8, 2018

DAVID SEAMAN

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